

UNITED STATES DISTRICT COURT
THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

**IN RE: DAVOL, INC./C.R. BARD,
INC., POLYPROPYLENE HERNIA
MESH PRODUCTS LIABILITY
LITIGATION**

Case No. 2:18-md-2846

**Judge Edmund A. Sargus, Jr.
Magistrate Judge Kimberly A. Jolson**

**This document relates to:
Smith v. Davol, Inc., et al.
Case No. 2:21-cv-4011**

ORDER

On March 21, 2024, Plaintiff's counsel filed a Notice of Suggestion of Death indicating that Plaintiff James M. Smith had passed away on or about March 25, 2023. (ECF No. 3.) In the Notice, Plaintiff's counsel "informs this Court that the decedent's mother and decedent's adult sister, his next of kin, have reported to the undersigned counsel that they do not intend to keep the Estate of Plaintiff James M. Smith open to maintain this lawsuit." (*Id.*) The Court then ordered Plaintiff's counsel to show cause why, given the representations in the Notice, this case should not be dismissed. (ECF No. 4.) Plaintiff's counsel did respond to the order to show cause. Accordingly, this case is **DISMISSED WITHOUT PREJUDICE**.

IT IS SO ORDERED.

5/28/2024
DATE

s/Edmund A. Sargus, Jr.
EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE